# No. 39

# **MICHIGAN SENATE**

# DAILY CALENDAR

TUESDAY, MAY 2, 2000 10:00 a.m.

### MESSAGES FROM THE HOUSE

### SB 555 Sen. Hammerstrom

Sales tax; exemptions; vended nonalcoholic beverages; exempt.

Amends sec. 4g of 1933 PA 167 (MCL 205.54g).

I.E. House, November 2, 1999.

Returned from House with substitute (H-1), Wednesday, November 3, 1999; laid over under the rules.

Committee recommended I.E.

#### THIRD READING OF BILLS

2

#### SB 300 Sen. Jaye

Weapons; licensing; time limit for permit to purchase pistol; extend.

Amends sec. 2 of 1927 PA 372 (MCL 28.422).

Reported by Committee on Hunting, Fishing and Forestry.

For Senate amendment, see Senate Journal No. 32 of 1999, page 483.

**Committee recommended I.E.** 

— 3 ————

### SB 158 Sen. Rogers

Worker's compensation; benefits; employee under the influence of intoxicating liquor or drugs; prohibit benefits paid.

Amends 1969 PA 317 (MCL 418.101 - 418.941) by adding sec. 306.

Reported by Committee on Human Resources, Labor, Senior Citizens and Veterans Affairs.

Senate substitute (S-2).

For Senate amendment, see Senate Journal No. 56 of 1999, page 1215.

Committee recommended I.E.

4

# **HB** 4716 Rep. Godchaux

Criminal procedure; bail; individuals arrested for certain domestic violence crimes; prohibit release on interim bond by peace officer, and require arraignment or bond hearing by judicial officer before release, and require release condition of no contact with victim in certain circumstances.

Amends sec. 2a of 1961 PA 44 (MCL 780.582a).

House substitute (H-3).

Reported by Committee on Judiciary.

### THIRD READING OF BILLS

\_\_\_\_\_ 5 \_\_\_\_\_

### HB 5184 Rep. DeRossett

Criminal procedure; sentencing guidelines; sentencing guidelines for crime of using computer to commit a crime; enact.

Amends 1927 PA 175 (MCL 760.1 - 777.69) by adding sec. 18a, ch. XVII.

I.E. House, February 16, 2000.

House substitute (H-4).

Reported by Committee on Judiciary.

Senate substitute (S-1).

Committee recommended I.E.

- 6 —

# HB 5185 Rep. O'Neil

Crimes; computer; attempting to commit crime by using a computer; prohibit.

Amends sec. 6 of 1979 PA 53 (MCL 752.796).

I.E. House, February 16, 2000.

House substitute (H-1).

Reported by Committee on Judiciary.

Senate substitute (S-2).

For Senate amendment, see Senate Journal No. 25, page 325.

**Committee recommended I.E.** 

## **HB** 5186 Rep. Howell

Criminal procedure; sentencing; penalties for committing crimes by using computer; revise.

Amends sec. 7 of 1979 PA 53 (MCL 752.797).

I.E. House, February 16, 2000.

House substitute (H-3).

Reported by Committee on Judiciary.

Senate substitute (S-1).

For Senate amendment, see Senate Journal No. 25, page 325.

Committee recommended I.E.

8

### HB 5187 Rep. Jamnick

Crimes; computer; jurisdiction for computer crimes; provide for.

Amends 1979 PA 53 (MCL 752.791 - 752.797) by adding sec. 8.

I.E. House, February 16, 2000.

House substitute (H-2).

Reported by Committee on Judiciary.

Senate substitute (S-1).

For Senate amendment, see Senate Journal No. 25, page 325.

Committee recommended I.E.

### **GENERAL ORDERS**

9

### **HB** 4534 Rep. Kowall

Weapons; concealed; forfeiture of concealed weapons carried in violation of Michigan penal code; make subject to forfeiture provisions of firearms act.

Amends sec. 239 of 1931 PA 328 (MCL 750.239).

I.E. House, May 19, 1999.

Reported by Committee on Hunting, Fishing and Forestry.

For Senate amendment, see Senate Journal No. 49 of 1999, page 857.

10

### HB 4543 Rep. Basham

Crimes; weapons; penalties for certain crimes involving firearms; increase.

Amends secs. 233, 234d, 234e, 234f, 235 & 237 of 1931 PA 328 (MCL 750.233 et seq.).

I.E. House, May 19, 1999.

House substitute (H-2).

Reported by Committee on Hunting, Fishing and Forestry.

Senate substitute (S-2).

— 11 ———

# **HB 4544** Rep. Howell

Crimes; larceny; larceny of firearm; increase penalty and prohibit possession of stolen firearm.

Amends sec. 357b of 1931 PA 328 (MCL 750.357b).

I.E. House, May 20, 1999.

House substitute (H-1).

Reported by Committee on Judiciary.

Committee recommended I.E.

— 12 ——

# **HB** 4641 Rep. Godchaux

Explosives; other; age requirements for purchase of explosives; increase.

Amends secs. 5 & 15 of 1970 PA 202 (MCL 29.45 & 29.55).

I.E. House, May 19, 1999.

House substitute (H-1).

Reported by Committee on Judiciary.

Committee recommended I.E.

\_\_\_\_ 13 \_\_\_\_\_

# **HB** 4642 Rep. Thomas

Explosives; other; teaching of explosives on the internet; prohibit.

Amends sec. 528a of 1931 PA 328 (MCL 750.528a).

I.E. House, May 19, 1999.

House substitute (H-2).

Reported by Committee on Judiciary.

Committee recommended I.E.

14

# HB 4643 Rep. Woronchak

Explosives; other; penalty for possessing an explosive when that violation results in the death of another individual or serious impairment of a body function of another individual; increase.

Amends secs. 209a & 212a of 1931 PA 328 (MCL 750.209a & 750.212a).

I.E. House, May 19, 1999.

House substitute (H-1).

Reported by Committee on Judiciary.

Committee recommended I.E.

### GENERAL ORDERS

\_\_\_\_ 15 \_\_\_\_\_

#### SB 447 Sen. Emmons

Education; attendance; eligibility to start kindergarten; change to age 5 on September 1.

Amends sec. 1147 of 1976 PA 451 (MCL 380.1147).

Reported by Committee on Education.

Senate substitute (S-1).

Committee recommended I.E.

### SB 275 Sen. Young

Crimes; assaultive; assault or battery of certain vehicle operators and passengers; prohibit under certain circumstances and provide for penalties.

Amends 1931 PA 328 (MCL 750.1 - 750.568) by adding sec. 81c.

Reported by Committee on Judiciary.

Senate substitute (S-1).

Committee recommended I.E.

# SB 774 Sen. Young

Criminal procedure; sentencing guidelines; sentencing guidelines for crime of assaulting or battering operator or passenger of public transit vehicle; enact.

Amends sec. 16d, ch. XVI of 1927 PA 175 (MCL 777.16d).

Reported by Committee on Judiciary.

Senate substitute (S-1).

Committee recommended I.E.

\_\_\_\_\_ 18 \_\_\_\_\_

# SB 48 Sen. Stille

Property tax; assessments; assessor to use existing use of property in assessment without regard to highest and best use; require.

Amends sec. 27 of 1893 PA 206 (MCL 211.27).

Reported by Committee on Finance.

Senate substitute (S-1).

\_\_\_\_\_ 19 \_\_\_\_\_

# SB 836 Sen. Hammerstrom

Mental health; other; licensed professional counselors; include in list of qualified individuals to provide a second opinion determination for persons denied mental health services.

Amends secs. 100b & 705 of 1974 PA 258 (MCL 330.1100b & 330.1705).

Reported by Committee on Families, Mental Health and Human Services.

Committee recommended I.E.

\_\_\_\_ 20 \_\_\_\_\_

### SB 837 Sen. Johnson

Children; foster care; reference to licensed mental health professional; enact technical amendment to change cite because of amendment to mental health code.

Amends sec. 4c of 1994 PA 203 (MCL 722.954c).

Reported by Committee on Families, Mental Health and Human Services.

Committee recommended I.E.

### **GENERAL ORDERS**

#### SB 795 Sen. McManus

Labor; youth employment; youth employment standards; eliminate cap on number of weeks youth are allowed to be employed in certain farming operations.

Amends sec. 11 of 1978 PA 90 (MCL 409.111).

Reported by Committee on Farming, Agribusiness and Food Systems.

Senate substitute (S-1).

Committee recommended I.E.

\_\_\_\_ 22 \_\_\_\_\_

# SB 512 Sen. Koivisto

Natural resources; hunting; senior hunting and fishing license for persons with disabilities; authorize.

Amends secs. 43502 & 43537 of 1994 PA 451 (MCL 324.43502 & 324.43537).

Reported by Committee on Hunting, Fishing and Forestry.

\_\_\_\_ 23 \_\_\_\_\_

# **HB 4259** Rep. Law

Businesses; charitable organizations; charitable organizations and solicitations act; revise.

Amends title & secs. 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 16, 17, 18, 20, 21 & 23 of 1975 PA 169 (MCL 400.272 et seq.); adds secs. 3a, 19, 19a, 19b, 19c, 19d, 22a, 23a, 23b & 23c & repeals secs. 14 & 22 of 1975 PA 169 (MCL 400.284 & 400.292).

I.E. House, April 29, 1999.

House substitute (H-1).

Reported by Committee on Gaming and Casino Oversight.

Senate substitute (S-1).

Committee recommended I.E.

\_\_\_\_ 24 \_\_\_\_\_

# SB 1055 Sen. McManus

Agriculture; other; statute providing for a horseshoer's lien; repeal.

Repeals 1897 PA 160 (MCL 570.351 - 570.363).

Reported by Committee on Government Operations. Committee recommended I.E.

\_\_\_\_\_ 25 \_\_\_\_\_

## **HB** 5227 Rep. Stamas

Vehicles; registration; lists of driver and motor vehicle records maintained by secretary of state; prohibit sale for surveys, marketing, and solicitations.

Amends sec. 232 of 1949 PA 300 (MCL 257.232).

I.E. House, February 17, 2000.

For House amendments, see House Journal No. 13, page 180.

Reported by Committee on Transportation and Tourism.

Committee recommended I.E.

### **GENERAL ORDERS**

— 26 ——

### **HB** 5230 Rep. Kuipers

Consumer protection; other; secretary of state's sale of personal information from personal identification cards; prohibit.

Amends secs. 7 & 10 of 1972 PA 222 (MCL 28.297 & 28.300).

I.E. House, February 17, 2000.

House substitute (H-1).

Reported by Committee on Transportation and Tourism.

Committee recommended I.E.

27

# **HB** 5270 Rep. Richardville

Vehicles; registration; lists of records maintained by secretary of state; prohibit sale for surveys, marketing, and solicitation.

Amends secs. 80130c, 80315c, 81114c & 82156c of 1994 PA 451 (MCL 324.80130c et seq.).

I.E. House, February 17, 2000.

For House amendments, see House Journal No. 13, page 184.

Reported by Committee on Transportation and Tourism.

Committee recommended I.E.

28

# SB 957 Sen. Peters

Holidays; Pearl Harbor day; designate as December 7.

Reported by Committee on Government Operations. Committee recommended I.E.

\_\_\_\_ 29 \_\_\_\_\_

### **HB 4532** Rep. Vear

Weapons; firearms; transportation requirements for certain firearms; clarify.

Amends sec. 231a of 1931 PA 328 (MCL 750.231a).

I.E. House, May 19, 1999.

Reported by Committee on Hunting, Fishing and Forestry.

Senate substitute (S-1).

### RESOLUTIONS

\_\_\_\_\_ 30 \_\_\_\_\_

### SCR 29 Sen. McManus

A concurrent resolution to memorialize the Congress of the United States to grant to the President fast-track negotiating authority for future trade agreements.

Reported by Committee on Farming, Agribusiness and Food Systems.

Senate substitute (S-1).

For text of resolution, see Senate Journal No. 81 of 1999, page 1794.

Adoption pending.

### RESOLUTIONS

\_\_\_\_ 31 \_\_\_\_\_

### SCR 10 Sen. Jaye

A concurrent resolution to express support for the recognition of the Republic of China on Taiwan.

Reported by Committee on Government Operations.

For Senate amendments, see Senate Journal No. 36, page 597.

For text of resolution, see Senate Journal No. 34 of 1999, page 508.

Adoption pending.

\_\_\_\_ 32 \_\_\_\_

# SCR 11 Sen. Jaye

A concurrent resolution to urge the administration to press the People's Republic of China to acknowledge and respect the culture and sovereignty of Taiwan.

Reported by Committee on Government Operations.

For text of resolution, see Senate Journal No. 34 of 1999, page 508.

Adoption pending.

### **COMMITTEE REPORTS**

\_\_\_\_\_ 33 \_\_\_\_\_

# SB 453 Sen. Van Regenmorter

Property tax; payment and collection; property tax administration fee; revise and provide a levy for a per parcel fee

Amends sec. 44 of 1893 PA 206 (MCL 211.44).

Reported by Committee on Finance.

Senate substitute (S-2).

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

\_\_\_\_ 34 \_\_\_\_\_

# SB 599 Sen. Rogers

Income tax; other; tax deferred education savings account; establish.

Reported by Committee on Finance.

Senate substitute (S-2).

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

\_\_\_\_ 35 \_\_\_\_\_

### SB 600 Sen. Rogers

Income tax; deductions; tax deferred education savings account contributions; provide for deduction.

Amends sec. 30 of 1967 PA 281 (MCL 206.30) & repeals sec. 30d of 1967 PA 281 (MCL 206.30d).

Reported by Committee on Finance.

Senate substitute (S-2).

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

### **COMMITTEE REPORTS**

— 36 ———

## SB 627 Sen. North

Sales tax; exemptions; aircraft weighing over 6,000 pounds carrying cargo, passengers, or a combination of cargo and passengers; exempt.

Amends 1933 PA 167 (MCL 205.51 - 205.78) by adding

Reported by Committee on Finance.

Senate substitute (S-2).

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

### **SB** 630 Sen. Koivisto

Use tax; exemptions; aircraft weighing over 6,000 pounds carrying cargo, passengers, or cargo and passengers; exempt.

Amends secs. 4 & 4k of 1937 PA 94 (MCL 205.94 & 205.94k).

Reported by Committee on Finance.

Senate substitute (S-3).

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

\_\_\_\_ 38 \_\_\_\_\_

### SB 1175 Sen. Emmons

Sales tax; exemptions; good faith definition for blanket exemption certificate; revise.

Amends sec. 17 of 1933 PA 167 (MCL 205.67).

Reported by Committee on Finance.

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

\_\_\_\_\_ 39 \_\_\_\_\_\_

### SB 1191 Sen. Stille

Taxation; state real estate transfer; state transfer tax; exempt certain church transfers.

Amends sec. 6 of 1993 PA 330 (MCL 207.526).

Reported by Committee on Finance.

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

# SB 1194 Sen. Gougeon

Sales tax; collections; collection of sales tax imposed on sale of certain aircraft and aircraft parts; require a portion to be earmarked into the aeronautics fund.

Amends sec. 25 of 1933 PA 167 (MCL 205.75).

Reported by Committee on Finance.

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

### SB 1195 Sen. North

Use tax; collections; collection of use tax imposed on sale of certain aircraft and aircraft parts; require a portion to be earmarked into the aeronautics fund.

Amends sec. 21 of 1937 PA 94 (MCL 205.111).

Reported by Committee on Finance.

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

### **COMMITTEE REPORTS**

### — 42 —

### HB 5044 Rep. Geiger

Probate; other; requirement for publication of name changes; provide for waiver under certain circumstances.

Amends sec. 1, ch. XI of 1939 PA 288 (MCL 711.1) & adds sec. 3 to ch. XI.

I.E. House, March 2, 2000.

House substitute (H-1).

Reported by Committee on Families, Mental Health and Human Services.

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

43

### HB 4684 Rep. Faunce

Courts; witnesses; provision prohibiting certain spousal testimony; eliminate.

Amends sec. 2162 of 1961 PA 236 (MCL 600.2162) & repeals secs. 166 & 461 of 1931 PA 328 (MCL 750.166 & 750.461) & sec. 19 of 1952 PA 8 (MCL 780.169).

I.E. House, December 7, 1999.

House substitute (H-2).

Reported by Committee on Judiciary.

Reported with amendment.

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

### SB 1169 Sen. Gougeon

Natural resources; other; emergency recreational water access loan program; create for dredging due to low water levels.

Amends 1994 PA 451 (MCL 324.101 - 324.90106) by adding pt. 794.

Reported by Committee on Appropriations.

Reported with amendments.

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

### SB 388 Sen. Bennett

Natural resources; wildlife; shining of wildlife on private land; require written permission.

Amends sec. 40113 of 1994 PA 451 (MCL 324.40113).

Reported by Committee on Hunting, Fishing and Forestry.

Senate substitute (S-2).

Refer to Committee of the Whole pursuant to Rule 3.701.

### **SCHEDULED MEETINGS**

### Appropriations -

### **Subcommittees -**

**Agriculture -** Wednesday, May 10, 3:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-1725)

### SCHEDULED MEETINGS

**Career Development Strategic Fund Agency -** Tuesday, May 2, 3:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2523)

**Consumer and Industry Services -** Wednesday, May 3 and Thursday, May 11, 1:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-7350)

**Environmental Quality -** Thursday, May 4, 1:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-7350)

**Family Independence Agency -** Tuesdays, May 2 (CAN-CELED) and May 9, 1:00 p.m., Room 210, Farnum Building (373-1760)

**General Government -** Tuesday, May 2, 1:00 p.m., Room 404, Capitol Building (CANCELED); Wednesday, May 3, 1:00 p.m., Room 426, Capitol Building; Tuesday, May 9, 1:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building; Wednesday, May 10, 1:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-3447)

**Judiciary -** Wednesdays, May 3 and May 10, 1:00 p.m., Room 210, Farnum Building (373-2413)

**Natural Resources -** Tuesday, May 9, 3:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-1725)

**State Police and Military Affairs -** Tuesdays, May 2 and May 9, 1:30 p.m., Room 405, Capitol Building (373-2426)

**Transportation -** Thursday, May 11, 8:30 a.m., and Tuesday, May 16, 11:30 a.m. or later immediately following session, Senate Appropriations Room, 3rd Floor, Capitol Building (373-2426)

**Economic Development, International Trade and Regulatory Affairs -** Tuesday, May 2, 1:00 p.m., Room 110, Farnum Building (373-7946)

Families, Mental Health and Human Services - Wednesday, May 3, 3:00 p.m., Room 100, Farnum Building; Fridays, May 12, 9:00 a.m., Fetzer Center, Western Michigan University, Kalamazoo and 1:30 p.m., Eberhard Center, Grand Valley State University, Grand Rapids; May 19, 9:00 a.m., Morris Lawrence Building Auditorium, Washtenaw Community College, Ann Arbor; Wednesday, May 24, 2:00 p.m., Senate Hearing Room, Ground Floor, Michigan National Tower (373-3543)

**Finance -** Tuesday, May 2, 1:00 p.m., 8th Floor Conference Room, Farnum Building (373-3760)

**Financial Services -** Wednesday, May 3, 9:00 a.m., Room 100, Farnum Building (373-1758)

**Health Policy -** Tuesday, May 2, 3:00 p.m., Room 100, Farnum Building (373-0793)

**Judiciary -** Wednesday, May 3, 1:00 p.m., Rooms 402 and 403, Capitol Building (373-6920)

### **SCHEDULED MEETINGS**

**Legislative Retirement Board of Trustees -** Wednesday, May 3, 3:00 p.m., Room H65, Ground Floor, Capitol Building (373-1725)

### Subcommittee -

**Investment Issues -** Monday, May 1, 9:30 a.m., 9th Floor Conference Room, S0929 House Office Building (373-0575)

**Local, Urban and State Affairs -** Wednesday, May 3, 3:00 p.m., Room 405, Capitol Building (373-1707)

## **SCHEDULED MEETINGS**

Natural Resources and Environmental Affairs - Monday, May 1, 1:00 p.m., Grand Rapids City Council Chambers, 300 Monroe Avenue, Grand Rapids; Tuesday, May 2, 3:00 p.m., 8th Floor Conference Room, Farnum Building (373-0797)

**Transportation and Tourism -** Tuesday, May 2, 3:00 p.m., Room 110, Farnum Building (373-1758)

Bill No.	Brief Title	Conferees		Report Agreed to	
		Senate	House	Senate	House
SB 404	Health facilities; emergency medical	Shugars	Law	4/11/00	
	services; general amendments	Schwarz	DeWeese		
		Murphy	Schauer		
SB 813	Courts; court of appeals; court of appeals	Schuette	Richner		
	redistricting; provide for certain standards	Sikkema	Koetje		
		V. Smith	Baird		
HB 5058	Campaign finance; penalties for submitting		Bishop		
	false complaints		Patterson		
			Brater		